

GP 3731

PATENT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Thomas J. Holman et al.
Application No.: 10/029354
Filed: October 26, 2001
For: CATHETER WITH REMOVABLE BALLOON
PROTECTOR AND STENT DELIVERY
SYSTEM WITH REMOVABLE STENT
PROTECTOR
Examiner: Not Yet Assigned
Group Art Unit: Not Yet Assigned



COPY OF PAPER
ORIGINALLY FILED

Commissioner for Patents
Washington, D.C. 20231

Docket No.: S63.2-10186

TRANSMITTAL LETTER

- In regard to the above-identified application, we are submitting the attached:
4 pg Information Disclosure Statement; 6 pg. 1449 Form; 3 pg. Notice of References Cited; VA&S Transmittal Letter; and return Postcard.
- With respect to fees:
☒ **No additional fee is required.**
☐ Attached is check(s) in the amount of \$00.00
☐ Charge additional fee to our Deposit Account No. 22-0350.
- CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
- Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

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FEB 5 2002
TO STC MAIL ROOM

VIDAS, ARRETT & STEINKRAUS

Date: January 28, 2002

By:

Scott Q. Vidas, Esq.
Registration No. 30,812

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9131
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

Certificate Under 37 CFR 1.8: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as FIRST CLASS MAIL, addressed to BOX Non Fee, Commissioner for Patents, Washington, D.C., on January 23, 2002.

Robin Peddieson

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Thomas J. Holman et al.
Application No.: 10/029354
Filed: October 26, 2001
For: CATHETER WITH REMOVABLE
BALLOON PROTECTOR AND STENT
DELIVERY SYSTEM WITH
REMOVABLE STENT PROTECTOR
Examiner: Not Yet Assigned
Group Art Unit: Not Yet Assigned

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Washington, D.C. 20231

Docket No.: S63.2-10186

INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached Form PTO-1449 and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the

Information Disclosure Statement
Application No. 10/029354
Page 2

information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying modified form 1449 as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the 1449 and/or 892 forms from these cases.

 X **I.** This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- X (1) within 3 months of the filing date of the application (other than a CPA); or
- (2) within 3 months of entry of the national stage; or
- (3) before the mailing of a first Office Action on the merits;
- (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- (5) as part of a continued prosecution application (CPA); or
- (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

 II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

Information Disclosure Statement

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Page 3

- _____ (1) a certification as specified in §1.97(e) is provided below; or
- _____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

_____ **III. 37 C.F.R. §1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- (1) a certification as specified in §1.97(e) is completed below; and
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X **IV. Fee Authorization.** If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

_____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

_____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more

Information Disclosure Statement
Application No. 10/029354
Page 4

than three months prior to the filing of the Information Disclosure Statement.

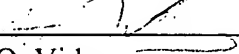
For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

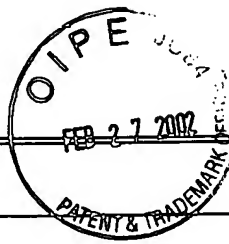
VIDAS, ARRETT & STEINKRAUS, P.A.

Date: January 28, 2002

By: 

Scott Q. Vidas
Registration No.: 30,812

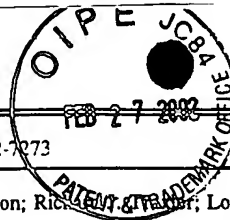
Suite 2000
6109 Blue Circle Drive
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001
F:\WPWORK\FORMS\IDS-FRM.B06



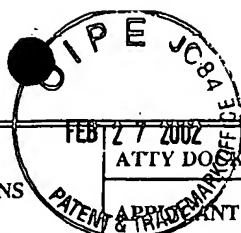
Modified Form 1449 UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)		ATTY DOCKET NO.:		APPLICATION NO.	
		APPLICANT:			
		FILING DATE:		GROUP:	
UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY					
EXAM'S INIT		APPLICATION NO.	FILING DATE	INVENTOR(S)	
	DA				
	DB				
	DC				
	DD				
	DE				
	DF				
EXAMINER			DATE CONSIDERED		
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

Modified Form 1449 US APPLICATIONS RELATED BY PRIORITY (COPIES NOT ENCLOSED)		ATTY DOCKET NO.: S63.2-10186		APPLICATION NO. 10/029354		
		APPLICANT: Thomas J. Holman, et al.				
		FILING DATE: October 26, 2001		GROUP: Not Yet Assigned		
US APPLICATIONS RELATED BY PRIORITY						
EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA	08/951,769	10/16/97	6203508B1	Ren et al.	Yes
	EB	09/528,613	03/20/00		Thomas Holman, et al	Yes
	EC					
	ED					
	EE					
	EF					
	EG					
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.



FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2-7273		SERIAL NO.: 09/211,376	
				APPLICANT: Scott M. Hanson; Richard J. Givner; Louis G. Ellis; Linda Lortentzen Cornelius; Thomas J. Holman; Gregory K. Olson			
				FILING DATE: December 14, 1998		GROUP: 3731	
REFERENCE DESIGNATION				U.S. PATENT DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,765,682	06/16/1998	Bley et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	BA						
	BB						
	BC						
	BD						
	BE						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	CA						
	CB						
	CC						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



FORM PTO-1449 (Modified)

FEB 27 2002

ATTY DOCKET NO.: S63.2-7273

SERIAL NO.: 09/211,376

**LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

APPLICANT: Scott M. Hanson; Richard J. Traxler; Louis G. Ellis; Linda Lortentzen Cornelius;
Thomas J. Holman; Gregory K. Olson

FILING DATE: December 14, 1998

GROUP: 3731

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,765,682	06/16/1998	Bley et al.			
	AB	5,868,707	02/09/1999	Williams et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BA							
	BB							
	BC							
	BD							
	BE							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	CA		
	CB		
	CC		

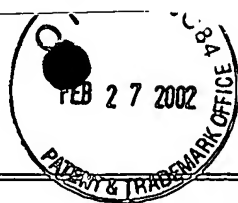
EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)				PATENT DOCKET NO.: 563.2-6152		SERIAL NO.: 08/812,351		
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT				APPLICANT: Scott M. Hanson; Richard J. Traxler; Louis G. Ellis; Linda Lorentzen Cornelius; Thomas J. Holman; Gregory K. Olson				
(Use several sheets if necessary)				FILING DATE: March 5, 1997		GROUP: 3731		
REFERENCE DESIGNATION				U.S. PATENT DOCUMENTS				
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	5,868,707	02/09/1999	Williams et al.				
	AB							
	AC							
	AD							
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	AF							
	AG							
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FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BA							
	BB							
	BC							
	BD							
	BE							
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	CA							
	CB							
	CC							
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

FORM PTO-1449 (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)			ATTY DOCKET NO: S63.2-6152 Serial No: 08/812,351 APPLICANT: Scott M. Hanson, Richard J. Traxler, Louis G. Ellis, Linda Lorentzen Cornelius, Thomas J. Holman, Gregory K. Olson FILING DATE: March 5, 1997			Group:	
REFERENCE DESIGNATION							
U.S. PATENT DOCUMENTS							
EXAM'S INT.	PATENT NUMBER	ISSUE DATE	APPLICANT	COPY OF PAPERS ORIGINALLY FILED	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,710,181	12/01/1987	Fuqua			
	AB	4,950,227	08/21/1990	Savin et al.			
	AC	5,015,231	05/14/1991	Keith et al.			
	AD	5,053,007	10/01/1991	Euteneuer			
	AE	5,066,282	11/19/1991	Wijay et al.			
	AF	5,066,298	11/19/1991	Hess			
	AG	5,137,512	08/11/1992	Burns et al.			
	AH	5,282,786	02/01/1994	Ureche			
	AI	5,290,306	03/01/1994	Trotta et al.			
	AJ	5,342,307	08/30/1994	Euteneuer et al.			
	AK	5,352,236	10/04/1994	Jung et al.			
	AL	5,417,707	05/23/1995	Parkola			
	AM	5,425,710	06/20/1995	Khair et al.			
	AN	5,569,294	10/29/1996	Parkola			
	AO	5,584,852	12/17/1996	Parkola			
FOREIGN PATENT DOCUMENT OR PUBLISHED FOREIGN PATENT APPLICATION							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OF PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION
							YES NO
	BA	0 461 474 B1	12/18/1991	EPO			X
	BB	0 553 960 A1	08/04/1993	EPO			X
	BC	WO 95/11718	05/04/1995	PCT			X
	BD	WO 96/08286	03/21/1996	PCT			X
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	CA						
	CB						
	CC						
	CD						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial citation considered. Draw line through citation if not in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO: S63.2-6748			Application No: 09/034,434	
				APPLICANT: Thomas J. Holman; Louis G Ellis; Gergory K. Olson; Linda R. Lorentzen-Cornelius; Richard J. Traxler; Scott M. Hanson; Tracee E.J. Eidenschink; Sonja J.K. Williams				
				FILING DATE: March 4, 1998			GROUP: 3734	
REFERENCE DESIGNATION				U.S. PATENT DOCUMENTS				
EXAM'S INT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	4,733,665	03/29/1988	Palmaz				
	AB	4,740,207	04/26/1988	Kreamer				
	AC	5,007,926	04/16/1991	Derbyshire				
	AD	5,015,231	05/14/1991	Keith et al.				
	AE	5,053,007	10/01/1991	Euteneuer				
	AF	5,352,236	10/04/1994	Jung et al.				
	AG	5,445,646	08/29/1995	Euteneuer et al.				
	AH	5,556,383	09/17/1996	Wang et al.				
	AI	5,569,294	10/29/1996	Parkola				
				FOREIGN PATENT DOCUMENTS				
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BA	EP 0 707 837 A1		EPO			X	
	BB	GB 2 179 258 A		UK			X	
	BC							
	BD							
	BE							
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	CA	PTO Form 892 from U.S. co-pending patent application No. 08/812,351						
	CB	Form 1449 from U.S. co-pending patent application No.08/812,351						
	CC							
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								